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June 4, 2021

**VIA ECF**

Honorable Andrew L. Carter  
United States District Court  
Southern District of New York  
40 Foley Square, Room 435  
New York, New York 10007

***Re: Marjorie Kohlberg et al. v. Tom Birdsey et al., 20 Civ. 6250 (ALC);  
Defendant Tom Birdsey's opposition to Plaintiffs' request for second  
extension of time***

Dear Judge Carter:

We represent defendant Tom Birdsey ("Birdsey") in the above-referenced matter. This letter responds to Plaintiffs' second request for an extension of time to file Plaintiffs' opposition to Defendants' motions to dismiss the Third Amended Complaint (the "Opposition Brief").

Birdsey consents to extending: (1) Plaintiffs' deadline to file their Opposition Brief from June 4, 2021 to June 10, 2021, and (2) the remaining Defendants' deadline to file reply memoranda of law on their respective motions to dismiss by an equal number of days, *i.e.*, from July 9, 2021 to July 15, 2021. This afternoon, I conferred with Barry Pollack Esq., (counsel for all Plaintiffs apart from Plaintiff Sears); Mr. Pollack informed me that he and Anne Bowling, Esq. (counsel for Plaintiff Sears) agree to these terms.

With the filing of this letter, all remaining Defendants have now filed a response to Plaintiffs' second request for an extension of time.

Respectfully submitted,

/s/ Scott Watnik  
Scott Watnik

cc: All Counsel of Record (via ECF)